

DETAILED ACTION

1. This Office Action follows a response filed on January 21, 2010. Claim 1 has been amended; no claims have been cancelled or added.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 21, 2010 has been entered.
3. Claims 1-5 are pending.

Allowable Subject Matter

4. Claims 1-5 are allowed.
5. The following is examiner's statement of reasons for allowance: The present claims are allowable over the closest reference: Momoda et al. (U. S. Patent Application Publication 2003/0036579).

Momoda discloses a photochromic cured product which has excellent photochromism such as high color density and high fading speed, excellent adhesion to a hard coat and high striping work efficiency. This cured product is obtained by polymerizing and curing a curable composition which comprises (A) a polyfunctional polymerizable monomer such as trimethylolpropane trimethacrylate, (B) a silyl monomer such as γ -methacryloyloxypropyl trimethoxysilane, (C) another radically polymerizable

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monomer and (D) a photochromic compound. As for the contents of the polymerizable monomers, the content of the component (A) is 1 to 50 wt %, the content of the component (B) is 0.5 to 20 wt % and the balance consists of the component (C) based on the total of the components (A), (B) and (C). The photochromic compound (D) is contained in an amount of 0.0001 to 10 parts by weight based on 100 parts by weight of the total of the components (A), (B) and (C) (abstract).

Momoda discloses that obtained photochromic cured product has excellent releasability when it is removed from a mold after molding and excellent adhesion to a coating film formed by applying a hard coat agent and curing it by the above condensation method. The above hard coat agent is generally used to improve the scratch resistance of the cured product (page 11, [0110], [0111]).

Momoda discloses that since the photochromic cured product has excellent features, it is extremely useful as an optical material such as a photochromic lens material (page 17, [0155]).

However, Momoda does not disclose or fairly suggest the claimed curable composition consisting of: (1) 0.1 to 20 parts by weight of a silicon compound having a silanol group or a functional group capable of forming a silanol group upon hydrolysis and no radically polymerizable group, (2) 100 parts by weight of a radically polymerizable monomer having a polymerizable group selected from the group consisting of (meth)acryloyl group, (meth)acryloyloxy group, (meth)acryloylamino group, (meth)acryloylthio group, vinyl group, allyl group and styryl group, (3) 0.01 to 20 parts by weight of a photochromic compound, particularly wherein the radically polymerizable

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monomer includes a radically polymerizable monomer having an epoxy group in the molecule as is recited in newly amended claim 1.

6. As of the date of this Notice of Allowability, the Examiner has not located or identified any reference that can be used singularly or in combination with another references including Momoda et al. to render the present invention anticipated or obvious to one of ordinary skill in the art.

7. In the light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delay, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL M. BERNSHTEYN whose telephone number is (571)272-2411. The examiner can normally be reached on M-Th 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael M. Bernshteyn/
Examiner, Art Unit 1796

/M. M. B./
Examiner, Art Unit 1796

/David Wu/
Supervisory Patent Examiner, Art Unit 1796